

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Troplin et al.	)	Confirmation No: 9862
		)	
Serial No.:	10/561,590	)	Group Art Unit: 4152
		)	
Filed:	May 12, 2006	)	Examiner: Krause, A.
		)	
For:	CHOCOLATE DRINK PREPARED USING	)	Docket No. BC-03-US
	AN EXPRESSO-TYPE MACHINE, AND	)	
	MEANS OF PRODUCING SAME	)	

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**Response to Restriction Requirement**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the non-final Office Action Restriction Requirement mailed on September 4, 2008.

In the Restriction Requirement, the Examiner requested Applicants to elect one of the following inventions:

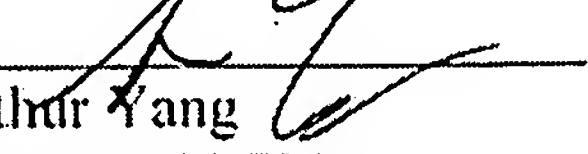
- Group I. Claims 1 – 6, 14 – 16, drawn to a process for producing a chocolate drink;
- Group II. Claims 7 - 11, drawn to an instant chocolate drink concentrate; and
- Group III. Claims 12 – 13, drawn to a capsule for a coffee machine.

Applicants respectfully traverse the restriction requirement, however provisionally elect to prosecute Group I, claims 1 – 6 and 14 – 16, and reserve the right to file one or more divisional applications directed to any non-elected subject matter.

It is believed no fee is required, except for a concurrently filed petition for extension of time. If an additional fee is required, please charge the same to Deposit Account 50-4255. In the event there are any questions, please do not hesitate to contact the undersigned by telephone.

Respectfully submitted,

Dated: 5 Jan 2009

By   
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